

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
SEPTEMBER 14, 2004
DRAFT

The Board of County Commissioners of Leon County, Florida, met in regular session with Chairman Sauls presiding. Present were Commissioners Thael, Maloy, Winchester, Proctor, Grippa, and Rackleff. Also present were County Attorney Herb Thiele, County Administrator Parwez Alam, Deputy Clerk Bill Bogan, Jr., and Secretary Sandra C. O'Neal.

Invocation was provided by Commissioner Thael followed by the Pledge of Allegiance to the Flag.

Awards and Presentations

- Presentation by Dave Ramsey, Trust for Public Lands Citizen's Committee, on the Capital Cascades Trail Project (20 min)

Mr. Ramsey explained that one year ago, citizens in the community traveled to Chattanooga, Tennessee, to see how the City had transformed its Trails and Greenways System which revitalized the downtown area. He showed a DVD of the 12-mile trail that was designed for walkers, skaters, joggers, skateboarders and bicyclists. The trail proceeds into a wetlands area with bridges and is designed to protect the environment and every quarter mile the "flavor" of the trail is changed. An art district and water trail run through the trail, along with an aquarium, hotels, outdoor theatre, ball fields, and schools. It was noted that the project began 15 years ago when a private/public corporation was set up with members from the City, County and business community. Mr. Ramsey explained that the corporation dictates an aggressive process to follow and it is basically self-funded. A block of property is designated for a specific use and it is sold for profit and various grants are used so it operates practically debt free.

Commissioner Grippa remarked that when local governments revitalize the downtown area, they should keep in mind Centennial Field because it is possible to attract minor leagues to Tallahassee that would bring several thousand people to the downtown area.

Mr. Ramsey remarked that Blueprint 2000, Capital Cascade Council, Trust for public lands, and others are trying to keep this endeavor focused so it can be realized for Tallahassee.

- The Board presented the attached resolution to Helen Moeller, Library Director, designating September 2004 as *Library Card Sign-up Month*
- The Board presented the attached resolution Designating September 14, 2004 as *Hurricane Charley Volunteer Day* Recognizing the Outstanding Contribution Made by Hundreds of Volunteers and to Recognize the Hard Work and Commitment of the Staff of VolunteerLEON
- ADD: Commissioner Maloy presented the attached resolution recognizing Dominique Jagger on her accomplishments in the Sport of Gymnastics

Consent Agenda

Commissioner Rackleff moved, duly seconded by Commissioner Winchester and carried unanimously, 4/0 (Commissioners Grippa, Thael, and Proctor out of Chambers), to approve staff recommendations on the following Consent items with the exception of Items 16 (which was continued to October 12, 2004 rather than September 21, 2004), and Items 19, 22, 39, and 41 which were addressed as described below: (Chairman Sauls noted a correction to Item 25 shown below.)

1. Approval of Minutes

The Board approved Options 1 and 2: 1) Approve Minutes of July 13, 2004 Regular Meeting; 2) Approve July 27, 2004 Regular Meeting.

2. Approval of Bills and Vouchers

The Board approved Option 1: Approve payment of bills and vouchers submitted for approval for September 14, 2004: \$12,359,730.29

3. Approval to Certify Tax Collector's Recapitulation of the 2003 Tax Roll

The Board approved Option 1: Approve the certification of the recapitulation of the 2003 tax roll, which entitles the Tax Collector to credit the tax assessment roll accordingly. (The recapitulation is the reconciling document which balances the tax roll as a result of errors, including insolvencies and double assessments, litigation discounts, penalties, and additions which are discovered during the tax collection period.)

4. Acceptance of Growth and Environmental Management Program Evaluation Report

The Board approved Option 1: Accept the Program Evaluation Report for Growth and Environmental Management.

5. Acceptance of the 2004-2006 Local Law Enforcement Block Grant (LLEBG)

The Board approved Options 1, 2, and 3: 1) Accept the Local Law Enforcement Block Grant (LLEBG) and authorize the County Administrator to execute the Grant Agreement with the U. S. Department of Justice; 2) Approve the agreement with the State of Florida 2nd Judicial Circuit Court Administration (Adult Drug Court) and authorize the County Administrator to execute; 3) Approve the attached budget resolution and budget amendment:

6. Acceptance of Florida Department of State Grant for the North Leon County Heritage Trail

The Board approved Options 1, 2, 3, and 4: 1) Accept the Grant for the North Leon County Heritage Trail Project and authorize the Chairman to execute the contract between Leon County and the Florida Department of State in the amount of \$11,500; 2) Approve the contract between the County and Riley House Museum and authorize the Chairman to execute; 3) Approve the contract between the County and FAMU and authorize the Chairman to execute; 4) Approve the attached budget resolution and budget amendment:

7. Acceptance of Byrne Grant Sub-grants for the Anti-Terrorism Equipment III Programs, THUGS III Program, and the Enhanced Pretrial/Probation Program

The Board approved Options 1, 2, and 3: 1) Accept the Byrne Sub-grants in the amount of \$69,105 for the Anti-terrorism Equipment III Program; \$36,000 for the T.H.U.G.S. III Program and \$147,783 for the Enhanced Pretrial/Probation III Program and authorize the County Administrator to execute the respective Certificates of Acceptance of Sub-grant Award; 2) Approve the contract with the City of Tallahassee for the Anti-Terrorism Equipment III program only, and authorize the County Administrator to execute; 3) Approve the attached budget resolution and associated budget amendment for the Anti-Terrorism Equipment III Program and Enhanced Pretrial/Probation III Program:

8. Approval to Submit Application for a Byrne Grant Sub-grant (Anti-Drug Abuse Program-breath alcohol testing instrument) for 14 Intoxilyzer 8000s, Phase II and Nine Supporting Printers

Board approved Option 1: Approve application for funding assistance and authorize the Chairman to execute.

9. Adoption of a Proposed Policy Regarding "Prohibition of Open Flame Devices in County Buildings"

The Board approved Option 1: Adopt the proposed policy regarding "Prohibition of Open Flame Devices in County Buildings."

10. Approval of Insurance Coverage Renewals and Extension of Broker Services

The Board approved Options 1 and 2: 1) Approve the Summary of Proposed Premiums and authorize the Chairman to sign service agreements and/or contracts for specified insurance coverage (general liability, automobile, excess Worker's Compensation, aviation, property and pollution); 2) authorize the Chairman to execute a one-year contract extension with Brown & Brown Ins., Inc., for \$50,000 for broker services:

11. Approval of Supplemental Budget Request for the Supervisor of Elections Office in the Amount of \$60,000

The Board approved Option 1: Approve the attached resolution and associated budget amendment requesting realigning \$60,000 from the General Fund Contingency to the Supervisor of Elections.

12. Approval of Realignment of Existing Appropriation within the Public Defender's Office

The Board approved Option 1: Approve the attached budget amendment request realigning \$37,965 in the Public Defender's Office.

13. Request to Schedule a Public Hearing to Adopt an Ordinance Amending Section 4-29 of the Leon County Code of Laws to Add a New Subsection (i) Providing for a \$5 Surcharge for Violations of Animal Control Ordinances on Tuesday, October 12, 2004 at 6:00 p.m.

The Board approved Option 1: Schedule a public hearing for October 12, 2004 at 6:00 p.m. to adopt an ordinance amending Section 4-41 to add a new subsection (i) of the Leon County Code of Laws and advertisement of the same in the Tallahassee Democrat.

14. Request to Schedule the First and Only Public Hearing to Adopt a Proposed Ordinance Amending Section 18-29, Leon County Code of Laws, Regarding Pre-application and Application Procedures and Fees for Public Water and Sewage Disposal Systems on Tuesday, October 12, 2004 at 6:00 p.m.

The Board approved Option 1: Authorize staff to advertise first and only public hearing to consider adoption of proposed Ordinance amending Section 18-29, Leon County Code of Laws.

15. Request to Schedule a Public Hearing on a Proposed Ordinance Imposing and Levying a Fourth Cent Tourist Development Tax Tuesday, October 12, 2004 at 6:00 p.m.

The Board approved Option 1: Schedule a public hearing on a proposed Ordinance imposing and levying a fourth cent Tourist Development Tax on Tuesday, October 12, 2004 at 6:00 p.m.

16. Acceptance of Status Report Regarding Public Displays on County Property

The agenda indicated that this item was to be continued to the September 21, 2004, but the Board concurred to continue this item until October 12, 2004 Regular Meeting.

17. Adoption of Proposed Resolution Repealing Resolution R99-07, Division of Animal Control Fee Schedule

The Board approved Option 1: Adopt the proposed resolution repealing Resolution R99-97: (At the present, the County Attorney's Office recommends the repeal as the Division of Animal Control fee schedule has not been employed since its adoption and due to recent state court administration changes relating to Revision 7 to Article V of the State Constitution.)

18. Approval of Workforce Plus Interlocal Agreement and the Local Officials Partnership Board Agreement

The Board approved Option 1: Approve the renewal of the Interlocal Agreement affirming the Region 5 Workforce Development Consortium and the Local Elected Officials Partnership Regional Board Agreement and authorize the Chairman to execute.

19. Status Report on the Utilization of Verizon Wireless and Sprint for County Cellular Phone Services and Equipment and Approval of the New County Policy on Cellular Phones

This item will be continued to September 21, 2004.

20. Approval of Collaborative Partnership Agreement with WORKFORCE Plus for Youth Programs

The Board approved Option 1: Approve a Collaborative Partnership Agreement with WORKFORCE plus and authorize the Chairman to execute. (This is the workforce development board for Gadsden, Leon

and Wakulla counties. The item is a collaborative partnership agreement to provide youth job shadowing, employment and youth leadership.)

21. Approval of Salaries of Employees at the Maximum of their Pay Grade for FY 2004-2005

This item considers two issues: 1) payments to Career Service employees whose base rate of pay (including October 1, 2004, 5% or no less than \$1,000, pay increases the Board has tentatively approved during the budget process) will be at or above the maximum of their pay grade and subject to red circling; and, 2) payments to Senior Management/Executive/EMS/Executive Support employees whose base rate of pay, plus their October 1, 2004, merit increase would place them above the maximum of their pay range. The Board approved Option 1: Authorize a combination of base pay and a bonus payment for employees at the maximum of the FY 2005 Pay Grade.

22. Renewal of Health Insurance Coverage for Plan Year 2005

This agenda item requests Board approval of the renewal rates and consideration of renewal options of the two group health insurance providers, Capital Health Plan (CHP) and Vista (formerly Health Plan Southeast) for the January 1, 2005 through December 31, 2005 plan year. Staff's recommendation was to continue with the same insurance coverage that the Board currently has with the two insurance providers. It was noted that the rates have increased 14 percent.

Commissioner Grippa pulled this item and asked if staff had talked with anyone representing another provider, United Health Care. Lillian Bennett, Director of Human Resources, explained that staff has had discussions with United Health Care and they have sent proposals as late as today. Due to the time frame that United Health Care submitted information, staff has not had time to analyze their proposal. Mrs. Bennett suggested that the Board authorize staff to include United Health Care in the County's health insurance renewal negotiation process in preparation for the 2006 plan year.

It was noted that representatives of CHP, Vista, and United Health Care were in attendance.

Commissioner Grippa indicated that by using a third provider, United Health Care, there could be some cost savings. Ms. Bennett pointed out that Constitutional Officers would need to be contacted as well as Board employees because it is estimated that 30 percent of employees use CHP. Staff stated that United Health Care indicated that there could be

potential cost- savings of \$1 million for the County if they were used as the County's sole health care provider.

Commissioner Grippa moved and was duly seconded by Commissioner Proctor to continue this item to September 21, 2004 to allow time for staff to determine if a proposal can be worked out with United Health Care so there could be a third provider for employees to select from.

Commissioner Grippa pointed out that he was continuing this item to give staff the ability to determine if this is a realistic goal. He remarked that United Care would also provide jobs to people in the area.

Commissioner Rackleff stated that it would be good to have a new vendor to compete for business, but it was premature, and there was not enough time to evaluate the offer and understand the terms, implications, and history of the company in one week.

Chairman Sauls emphasized the importance of not sending the message to employees that they may have to change insurance providers and doctors. Commissioner Grippa reiterated that this could give employees another provider to select from.

Commissioner Grippa requested that staff work with the City and others about possibly collaborating together for insurance coverage because the larger the group the more the risk is diversified. He suggested that staff talk with the Mayor and other Constitutional Officers who are not using the same providers as the County to determine if money can be saved by all using the same two or three providers. County Administrator Alam responded that the City uses one provider, CHP, and if the County agreed to the same, there could be costs savings.

During the discussion, Commissioner Grippa referred to the cafeteria plan, Fringe Benefits. Staff advised that the Tax Collector, the Property Appraiser, and the Sheriff would not be using Fringe Benefits and Commissioner Grippa wanted to know how much more this costs the taxpayers since they are not using the same vendor. Mrs. Bennett would provide the information.

The motion on the floor carried 4 – 1 (Commissioner Rackleff voted in opposition and Commissioners Maloy and Proctor were out of Chambers).

The Board then entered into public hearings, Item 47.

23. Approval of the Reclassification and Pay Grade Increases of Positions in County Administration and Office of Management and Budget (OMB)

The Board approved Option 1: Approve the reclassification and pay grade increases as submitted. See attachment:

24. Approval to Renew the Annual Contract Between Leon County and the State of Florida Department of Health for the Provision of Public Health Services

The Board approved Option 1: Approve the renewal of the Annual Contract between Leon County and the State of Florida, Department of Health, for the provision of public health services in Leon County and authorize the Chairman to execute.

25. Request to Schedule a Joint City/County Meeting for Presentation by Angelou Economics of the Southern Strategy Area Economic Development Report on Monday, October 4, 2004 at 1:00 p.m. (in Room 120 of FSU Research Foundation, Building A, located at 2000 Levy Avenue, in Innovation Park).

Chairman Sauls noted a correction that the time of the joint workshop would be 2:00 p.m., not 1:00 p.m. The Board approved Option 1: Schedule a Joint County Commission and City Commission meeting regarding the Southside Economic Development Plan for Monday, October 4, 2004, at 2:00 p.m.

26. Acceptance of Two Conservation Easements

The Board approved Option 1: Accept and Accept for recording the two conservation easements granted by Cauty B. and Lorraine D. Huggins (for the proposed Huggins Limited Partition subdivision project) and RRR Asset Management, LLC. (for the Tower Road Warehouses project).

27. Approval to Award Bid for the Construction of a New Fuel Depot on Miccosukee Road to Pro-Steel in the Amount of \$262,000

The Board approved Option 1: Approve award of bid to Pro-Steel Buildings, Inc., in the amount of \$282,000 for the construction of a new fuel depot and authorize the Chairman to execute the agreement.

28. Board Consideration of Property Exchange with City of Tallahassee at Amtrak Building for the Dental Clinic Project

The Board approved Options 1, 2, and 3: 1) Approve the land exchange with the City of Tallahassee, consisting of the County deeding approximately 1,671 square feet to the City, in exchange for the City conveying a 550 square feet easement to the County for use as a dental clinic parking lot landscape buffer; 2) Waive related property appraisal

requirements pursuant County Policy No. 03-01; 3) Authorize the Board Chairman to execute County deed, and staff to accept and record the City's easement as necessary for completing the dental clinic project.

29. Request to Cancel Workshop on Investment Grade Energy Audit of County Facilities

The Board approved Option 1: Cancel the workshop on Investment Grade Energy Audit of County Facilities.

30. Ratification of Termination of Agreement with Public Enterprise Group, Inc., (PEG)

Under the agreement, PEG was required to perform multiple tasks in order to create partnership agreements with various drink and snack vendors to generate revenue for the County. Staff has made numerous attempts to contact PEG regarding implementation of the agreement. To date, staff has not received any feedback from PEG and based on the lack of response by this contractor, County Administration recommends termination of the agreement. The Board approved Option 1: Ratify the County Administrator's Notice to Terminate the agreement with the Public Enterprise Group, Inc.

31. Ratification of Action to Suspend Contract Negotiations with Workforce Software, Inc.

Workforce Software, Inc. was informed by letter dated August 16, 2004, that contract negotiations would cease as efforts to implement an electronic timesheet solution would be postponed. (During the process of planning logistics within MIS and the associated departments involved in the electronic timesheet project, it became apparent there is business process issues within the various departments at it relate to the original deployment of the Banner System, the County's Human Resource/Payroll/financials system.) The Board approved Option 1: Ratify action to terminate contract negotiations with Workforce Software, Inc.

32. Approval to Award Bid to Ringpower Corporation in the Amount of \$199,953 for the Purchase of a Wheeled Excavator for Landfill Operations

The Board approved Option 1: Award the bid to Ring Power Corporation for the purchase of a wheeled excavator in the amount of \$199,953.

33. Ratification of the State Mosquito Control Certified Budget for FY 2004/05

The Board approved Option 1: Ratify the State Mosquito Control Budget FY 04-5. See attachment:

34. Approval of Budget Amendment in the Amount of \$50,000 to Provide Funds to Continue Solid Waste Management Operations through the end of FY 2003/04

This is a request for approval of a budget amendment to provide funds to continue the Solid Waste Management Operations through the end of fiscal year 04/05. The Board approved Option 1: Approve the attached budget amendment in the amount of \$50,000 for the Solid Waste Management Facility:

35. Approval to Amend the Enabling Resolution for the Landfill Citizens' Liaison Committee

The original resolution called for each member of the Board of County Commissioners to make an appointment. However, due to the specific nature of the categories, staff recommends full Board appointments. The Board approved the attached amended Enabling Resolution No. 04- for the Landfill Citizens' Liaison Committee:

36. Approval to Award Bid to Peavy and Son Construction Company, Inc., for the Open-Graded Hot Mix Bituminous Pavement Pilot Project

The Board approved Option 1: Approve the Open Graded Hot Mix Bituminous Pavement Unit Pricing Agreement with Peavy and Son Construction Company, Inc., and authorize the Chairman to execute.

37. Acceptance of Cloudland Drive 2/3 Paving Petition and Continuation of the Cloudland Drive Stormwater Project

Due to the unresolved issues with the 2/3 petition, staff requests that this item be continued to October 12, 2004.

38. Certification of Assessment Rolls to the Tax Collector for the Arvah Branch, Brandon Woods, Country Oak Acres, Crown Ridge, Frontier Estates, Gateshead Circle, Groveland Hills, Ida Road, Lakewood Business District, Landover Hills, Miccosukee Meadows, Ortega Drive, Pine Lakes, The Glen at Golden Eagle, Yorktown Pond, and Winfield Forest Subdivision

The Board approved Option 1: Approve the following Resolutions certifying the non-ad valorem Assessment Rolls for the following:

Resolution No. R04- : Arvah Branch

Resolution No. R04- : Brandon Woods
Resolution No. R04- : Country Oaks
Resolution No. R04- : Crown Ridge
Resolution No. R04- : Frontier Estates
Resolution No. R04- : Gateshead Circle
Resolution No. R04- : Groveland Hills
Resolution No. R04- : Ida Road
Resolution No. R04- : Lakewood Business District
Resolution No. R04- : Landover Hills
Resolution No. R04- : Miccosukee Meadows
Resolution No. R04- : Ortega Drive
Resolution No. R04- : Pine Lakes
Resolution No. R04- : The Glen at Golden Eagle
Resolution No. R04- : Yorktown Pond
Resolution No. R04- : Winfield Forest Subdivision

39. Approval of Travel Expenses for Commissioner Rackleff to Attend the Florida Association of Counties (FAC) Finance, Transportation & Administration Committee Meeting in Amelia Island, Florida on September 23, 2004

This item is removed from the agenda.

40. Approval of Travel Expenses for Commissioner Thaell to Attend Leadership Tour of Chattanooga's Greenway Parks and Trails in Chattanooga, Tennessee on October 5-6, 2004

The Board approved Option 1: Approve the travel expenses as requested.

41. Approval of Travel Expenses for Chairman Sauls to Attend Florida Association of Counties (FAC) 2004-2005 Legislative Policy Committee Meetings in Amelia Island Plantation, Florida on September 22-24, 2004

This item is removed from the agenda.

Citizens to Be Heard on Non-Agendaed Items (3-minute limit; non-discussion by Commission)

Diane Green, 3250 W. Tennessee Street, Astor Lake Estates, appeared and explained that she paid for a permit in the amount of \$664 for her mobile home to be placed at a site (Astor Lake Estates) and now the property is flooded and she has to relocate her mobile home. Ms. Green further explained how her bills were delinquent and the permit places a hardship on her at this time.

Commissioner Thael moved, duly seconded by Commissioner Thael and carried unanimously, 7/0, to waive the rules of procedure and take up the item which was not on the agenda.

Commissioner Thael moved, duly seconded by Commissioner Winchester and carried unanimously, 6/0 (Commissioner Maloy was out of Chambers), to waive the permit fee of \$664.

General Business

42. Request for Reimbursement of Attorney's Fees, Pursuant to Policy No. 03-02, by Steven R. Andrews, Presumably on Behalf of Commissioner Rudolph Maloy

This item is before the Board to decide whether to approve the request for reimbursement of attorney's fees and costs by attorney Steven R. Andrews, presumably on behalf of Commissioner Rudolph Maloy pursuant to Board of County Commissioners Policy No. 03-02.

Commissioner Thael moved and was duly seconded by Commissioner Rackleff to approve Option 3. Do not approve the request for reimbursement of attorney's fees and costs submitted presumably on behalf of Commissioner Maloy by Steven R. Andrews, dated August 4, 2004.

Commissioner Grippa asked if Attorney Andrews had been contacted by the County Attorney. County Attorney Thiele explained that he has not talked with Attorney Andrews but this is the procedure that the Board would have to go through for legal staff to respond and to turn down the request for reimbursement of attorney's fees.

Commissioner Grippa explained that Attorney Andrews advised him that he did not know that this item would be on the agenda and he did not want the item on the agenda. Commissioner Grippa indicated that it would have been appropriate to notify him that this item was on the agenda.

The motion on the floor carried 6/0 (Commissioner Maloy out of Chambers).

43. Approval of a Resolution Authorizing the Exchange of County-owned Land on Tower Road for Property in the View Point PUD

This agenda item seeks Board approval of a resolution authorizing the exchange of approximately 79.15 acres of County-owned land (Wilson Sand Mine on Tower Road) for five (5) commercial lots totaling approximately 11.96 acres (in the View Point PUD owned by Seminole

Boosters) for the construction of the Lake Jackson Branch Library and possibly the Lake Jackson Community Center.

County Administrator Alam explained that the exchange of property is based on certain conditions listed in the agenda request, page 2: That the County will be able to rezone its property on Tower Road to Residential-4; verification of the County's permanent access to the PUD's off-site stormwater facility; correct encroachments; pay the County \$200,000.

Commissioner Winchester moved and was duly seconded by Commissioner Grippa to approve Option 1 (which includes the four conditions): Approve the attached resolution authorizing the exchange of the County's Tower Road Property for the View Point Property plus \$200,000.

Commissioner Thaelle asked staff about the DCA (Department of Community Affairs) objections. Wayne Tedder, Planning Department Director, responded that he received the objections on September 3, 2004; he met with DCA this afternoon and addressed the outstanding issues regarding the expansion of the USA area and traffic level of service issues. Commissioner Thaelle remarked that when there is important information presented that the Board should be informed.

The motion carried unanimously, 5/0 (Commissioners Rackleff and Maloy were out of Chambers).

44. Adoption of Proposed Private Dirt Road Repair Program Policy superseding the Private Dirt Road Grading Program

This item seeks Board adoption of a proposed policy "Private Dirt Road Repair Program" to supersede Leon County's Private Dirt Grading Program Policy No. 91-2. This also seeks approval of the associated operating procedures and funding source for the Private Dirt Road Repair Program.

Commissioner Thaelle moved, duly seconded by Commissioner Grippa and carried unanimously, 5/0 (Commissioners Maloy and Rackleff out of Chambers), to approve Option 1: Adopt the proposed Private Dirt Road Repair Program Policy. The motion carried unanimously, 6/0 (Commissioner Maloy was out of Chambers). See attachment:

45. Authorization to Reject all Bids Submitted for the Purchase of the Old Bradfordville School Property and Re-Advertise

This item seeks Board authorization to reject all bids submitted for purchase of the Old Bradfordville School Property and re-advertise.

Commissioner Thael engaged in discussion about not re-bidding at this time and that perhaps later, the property would be worth substantially more.

Commissioner Grippa moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Maloy out of Chambers), to reject all bids (and do not re-advertise at this time.)

46. Board Appointments to the Downtown District Community Redevelopment Agency Project Review Committee

This agenda item requests the Board appoint two members to the Downtown District Community Redevelopment Agency Project Review Committee according to the Interlocal Agreement among the City of Tallahassee, Leon County, and the Downtown Community Redevelopment Agency.

Commissioner Grippa moved, duly seconded by Commissioner Proctor and carried unanimously, 7/0, to appoint Commissioner Grippa and Commissioner Proctor to the Downtown District Community Redevelopment Area Project Review Committee.

The Board then entered discussion regarding Citizens to Be Heard.

Scheduled Public Hearings, 6:00 p.m.

47. First Public Hearing on Tentative Millage Rates and Budgets for Fiscal Year 2004/2005

Pursuant to legal advertisement, a public hearing was conducted.

This item involves the adoption of the tentative Countywide, Emergency Medical Services MSTU, and Primary Health Care MSTU millage rates and budgets for Fiscal Year 2004-2005. The Chairman announced that the proposed aggregate millage rate is 9.2600 mills which is 7.3 percent over the aggregate roll back millage rate of 8.6328 mills is due to the following: provision of emergency medical services, maintenance of high level county-wide service provisions, continued Capital Improvement projects programming funding, enhanced support of law enforcement and development of a women's health center.

County Attorney Thiele announced that the proposed Countywide millage rate is 8.54 mills which is 6.1 percent over the countywide rollback millage rate 8.0491 mills. The Primary Healthcare MSTU is 0.2200 mill which is 94.7 percent over the Primary Health Care MSTU rollback millage rate of

0.1130 mills. The proposed emergency medical services MSTU millage rate is 0.5000 mills which is 6.2 percent over the Emergency Medical Services MSTU rollback millage rate of 0.4707 mills.

Mr. Thiele explained that there are two discussion items to be brought up by the County Administrator and following that, the Board will adopt a series of resolutions.

Alan Rosenzweig, Director of Office of Management and Budget, explained that there are two additional funding requests: one is a request for funding for the construction of a Women's Dorm at the Planned Housing Opportunities and Personal Empowerment (HOPE) Community for \$260,000 (a portion of the funding would go the homeless shelter/air conditioning). The second funding request was from Apalachee Center for \$204,000 to help fund 10 additional beds at the Crisis Stabilization Unit.

The following appeared:

Ron Kirkland, 4511 Dover Road, Havana, Florida, CEO of Apalachee Center, requested that the Board support the request for \$204,000 because he feels that the County is legally obligated to fund Baker Act services for citizens of Leon County. He stated that for the past 25 years, Apalachee Center has provided services for the mentally ill in partnership with the County. Mr. Kirkland explained that the legislature has funded 75% of the funding for the Crisis Stabilization Unit beds for the additional ten beds and the County would be funding the remaining 25% (\$204,000). If the County does not provide the funding, Apalachee would not receive the 75% funding from the legislature. Mr. Kirkland responded to the Board's inquiries, explaining the location of the beds and the operating costs.

Kay Freeman, 4126 Arklow Drive, appeared representing the Tallahassee Coalition for the Homeless and explained that at full build-out the Women's Dorm would house 32 women. She requested the Board's support.

Reverend Thomas Dohrman, 1527 Bellview Drive, Board Chairman for the Tallahassee Coalition for the Homeless, spoke on behalf of the HOPE Community and urged the Board to provided funding.

Chuck Mitchell, 3890 Tan Mouse Road, explained that the Coalition for the Homeless involves about 45 social service agencies in town that try to assist the homeless. They have worked on a collaborative effort to design the building and the cost of the campus is 4.5 million. Mr. Mitchell explained that they have raised over \$3.2 million from federal, state, city, and private individuals, and requested the County's support.

Commissioner Thaeil pointed out that it is the County's priority to get the mentally ill out of detention facilities and place them in a crisis stabilization facility in hopes of that they can be treated and return to a more productive, independent, and normal life style. He explained that taxpayers are paying over \$250,000 yearly for medications at the jail for mental illnesses. Commissioner Thaeil supported funding for this endeavor and pointed out that this is an opportunity to start to turn around an inefficient system. He stated that he would like to have further discussions on how to fund such a change.

Commissioner Grippa indicated that he would like to view the facility where the additional beds would be placed and voiced concern that the other seven counties would be using the beds designated for Leon County residents. He also voiced concern about where the money would come from, i.e., would it be taken from other agencies and would taxes be increased if Apalachee Center beds are funded. Mr. Kirkland explained that Leon County is only charged based on the residents of Leon County using those beds and a monthly report is provided. It was noted that County staff had viewed the facility over the last few weeks.

Joe Sharp, Director of Health and Human Services, responded to the Board's inquiries and stated that historically Leon County has used some 61% of the beds at Apalachee Center.

Staff noted that the County contracts for services with Apalachee Center and the amount increases yearly according to the CPI.

Chairman Sauls pointed out that discussions about these two funding requests should have occurred in July during a budget workshop rather than waiting till this late date in the process.

Commissioner Proctor moved, duly seconded by Commissioner Winchester and carried 6 – 1 (Commissioner Grippa voted in opposition), to provide funding in the amount of \$204,366 to Apalachee Center.

Commissioner Proctor moved, duly seconded by Commissioner Thaeil and carried unanimously, 7/0, to approve funding in the amount of \$260,000 for HOPE, Women's Dorm (with \$40,000 of that amount going to the Homeless Shelter on Tennessee Street for air conditioning and basic needs). It was noted that both Women's Dorm and Homeless Shelter are part of the Coalition for the Homeless.

The following citizen appeared to speak on the proposed FY 2004-2005 County budget:

Tom Cantor, 4007 Chaires Cross Road, stated that he believes that paying for healthcare for uninsured citizens in Leon County amounts to double taxation; funding sources come from other avenues that tax payers contribute toward such as income tax, i.e., Medicare, Medicaid.

Commissioner Thael responded and explained that the health care MSTU is for citizens in Leon County who are not eligible for Medicare or Medicaid but they earn just enough money that the state does not provide taxpayer-supported healthcare. They cannot afford healthcare insurance and their employer does not provide insurance for them. Commissioner Thael indicated that there should be a statewide solution but one does not exist at this time.

The Board announced that the public hearing was closed.

The Board engaged in discussion about the method to fund the two expenditures that they approved (HOPE Women's Dorm - \$260,000; Apalachee Center - \$204,000).

Alan Rosenzweig, OMB Director, explained that both requests amount to approximately \$464,000 and the Board has approximately \$240,000 of excess tax revenue, therefore, staff needs to find finding in the amount of approximately \$224,000. He indicated that the amount could be obtained by cutting other areas of the budget or increase revenue through property taxes.

Commissioner Grippa moved and was duly seconded by Commissioner Winchester to do the following so that the two funding requests can be met without raising property taxes: decrease the County's car allowance by \$27,800, freeze Board of County Commissioners' salaries (realizing a savings of \$18,000 per year); cut travel and training by 10% (would yield \$51,000 in the budget), and trim the County Attorney's budget for outside counsel for litigation by \$300,000. He also suggested not increasing the contingency account \$50,000 (rather, that the CHSP process be used for funding requests).

Discussion ensued about the impact of the various cuts in the budget including cuts for outside counsel for litigation, specifically the TDML (total daily maximum load) process litigation involving the City of Tallahassee. County Attorney Thiele explained that most of the cost for the TMDL goes to scientific information.

Following some discussion, Commissioner Winchester withdrew his second, therefore the motion died for lack of a second.

Commissioner Grippa suggested having a discussion of the County Attorney's budget in totality and to go over each law suit and find out the exact costs of litigation and consultants. He suggested that perhaps it would be better to perform mediation, etc., rather than sue entities such as the City. Commissioner Grippa pointed out that the County Attorney's outside counsel costs had increased threefold over the past year.

Commissioner Proctor moved and was duly seconded by Commissioner Grippa to direct staff to meet with the County Attorney to reevaluate and identify a savings amount of \$224,000 and possibly leave the County Attorney's budget at last year's budget of \$300,000 rather than the proposed 04-05 budget of \$1.1 million; look at the pending lawsuits in Cairo, Grady, and Wakulla County and possibly find that the lawsuits have not reached the stage of litigation where they would cost \$1.3 million as budgeted.

Commissioner Grippa moved a substitute motion, seconded by Commissioner Maloy to take \$124,000 from the County Attorney's budget and \$100,000 from the Contingency (which would add \$224,000 to the budget). County Attorney Thiele explained that he would do whatever he could within the constraints of the budget; if something comes up which his office does not anticipate and additional funding is necessary, he would bring the issue to the Board for consideration. The motion carried 4 – 3 (Commissioners Thael, Rackleff, and Winchester voted in opposition).

Commissioner Maloy moved, duly seconded by Commissioner Proctor and carried 6 – 1 (Commissioner Grippa voted in opposition), to use the \$240,000 revenue that was realized from property appreciation (property tax growth rate) between the tentative and final budget.

Staff advised that they would not know until November 1, 2004, when the books are closed, if the Board will be receiving money back from Constitutional officers. Mr. Rosenzweig remarked that historically money is given back from the Constitutional Officers.

Commissioner Grippa briefly discussed the abatement of property taxes where homes have been destroyed by hurricanes. He suggested that projected money for growth be used similarly, where destruction occurs due to disasters.

Commissioner Grippa suggested that next year, the Board should go through a deliberate and methodical budget process, discussing cuts and increases, and perhaps do like the City and appoint a committee to look at the fat in the budget. The Board will discuss this at the Board's Annual Retreat in December.

The Board then took action on the resolutions according to Florida Statute:

Commissioner Proctor moved, duly seconded by Commissioner Grippa and carried unanimously, 7/0, to approve Option 1: Adopt the attached Resolution No. R04-24 adopting the tentative FY 2004/2005 Countywide millage rate of 8.54 mills.

Commissioner Proctor moved, duly seconded by Commissioner Rackleff and carried unanimously, 7/0, to approve Option 2: Adopt the attached Resolution No. R04-25 approve the tentative FY 2004/2005 Countywide budget as amended this evening (\$212,181,540):

Commissioner Proctor moved and was duly seconded by Commissioner Maloy to approve Option 3: Adopt the attached Resolution R04-26 approving the tentative 2004/2005 Primary Health Care MSTU millage rate of 0.2200 mills.

Commissioner Grippa voiced concern that the Primary Health Care MSTU has doubled and pointed out that when this was first enacted, it was the Board's goal to not let this increase and to look for alternative funding.

Commissioner Grippa moved a substitute motion, seconded by Commissioner Winchester to keep the Primary Healthcare MSTU at the current rate of .12 mills.

Following some discussion, Commissioner Grippa withdrew his motion therefore the substitution motion died for lack of second.

The motion on the floor to adopt Resolution R04-26 approving the tentative 2004/05 Primary Health Care MSTU millage rate of 0.2200 mills carried 4 – 3 (Commissioners Sauls, Grippa, and Winchester voted in opposition). Commissioner Winchester requested that a report showing the track record of reductions of emergency trips to the hospital as a result of the healthcare MSTU. An annual report was previously presented and would be provided again.

Commissioner Proctor moved, duly seconded by Commissioner Rackeff and carried 5 – 2 (Commissioners Grippa and Winchester voted in opposition), to approve Option 4: Adopt the attached Resolution No. R04-27 adopting that tentative FY 2004/2005 Primary health care budget in \$3,443,278:

Commissioner Proctor moved, duly seconded by Commissioner Grippa and carried unanimously, 7/0, to approve Option 5: Adopt the attached Resolution No. R04-28 adopting the tentative FY 2004/2005 Emergency Medical Services MSTU millage rate of 0.5000 mills:

Commissioner Proctor moved, duly seconded by Commissioner Rackleff and carried unanimously, 7/0, to approve Option 6: Adopt the attached Resolution No. R04-29 adopting the tentative FY 2004/2005 Emergency Medical Services MSTU budget in the amount of \$9,293,072:

Commissioner Rackleff moved, duly seconded by Commissioner Proctor and carried unanimously, 7/0, to approve Option 7: Direct staff to advertise, in accordance with the Florida Statutes, the tentative millage rates and budgets for Fiscal Year 2004/2005 and the date, time, and place of the public hearing to adopt the final millage rates and budget for Fiscal Year 2004/2005.

48. Second and Final Public Hearing to Consider an Ordinance Revising Sidewalk Requirements for the New Developments and Establishing a Fee-In-Lieu-of-Sidewalk Construction

Pursuant to legal advertisement, a public hearing was scheduled to be conducted.

Commissioner Grippa moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Proctor was out of Chambers), to continue this item to September 21, 2004 at 6:00 p.m. It was noted that the Planning Commission had to change their meeting schedule.

Commissioner Winchester noted that there is a special Planning Commission meeting tomorrow night, September 15th, and there are 13 items on the agenda including the Summerfield PUD which are scheduled to be heard on September 21, 2004. Commissioner Winchester stated that he does not think that the items will be ready to be heard and for the public on that date.

Commissioner Winchester moved and was duly seconded by Commissioner Thael to continue the Summerfield PUD from September 21, 2004 to October 12, 2004 at 6:00 p.m.

Commissioner Grippa questioned the process and wanted to know if it was appropriate to continue something that was not even on today's agenda but will be on the September 21st agenda.

Commissioner Winchester explained that he wanted to notify people in advance that the item would not be taken up on September 21st even though it was on the agenda, but it would be continued to October 12th.

County Attorney Thiele explained that his interpretation of Commissioner Winchester's desire is that at tomorrow's Planning Commission public

hearing, it would be announced that that the public hearing will be continued from September 21st to October 12th. The item would be on the September 21 agenda but it would designate that the item had been continued to October 12th. Commissioner Winchester explained that there are serious land use issues and hopes that something can be worked out with additional time. He did not want citizens to come to the public hearing on September 21 to find out that the item was being continued.

Mr. Thiele explained that this is a procedural issue and not a substantive issue.

Commissioner Winchester withdrew his motion and moved, seconded by Commissioner Thaele, to instruct staff to *inform the applicant and persons who appear at the Planning Commission meeting tomorrow that it is Commissioner Winchester's intent on September 21st to make a motion to continue the Summerfield PUD to October 12th at 6:00 p.m.*

The motion carried unanimously, 6/0 (Commissioner Proctor was out of Chambers).

49. Second and Final Public Hearing on Proposed Ordinance Enacting a Temporary Moratorium on Development in Killearn Lakes Unit 1 and 2 Until Central Sanitary Sewer is Available

Pursuant to legal advertisement, a public hearing was scheduled to be conducted placing a temporary moratorium, with the effective date of July 27, 2004, on all development orders in Killearn Lakes Units 1 and II until a central sanitary system is constructed and available to serve residents within those subdivisions.

Commissioner Grippa moved, duly seconded by Commissioner Winchester and carried unanimously, 7/0, to continue this item to September 21, 2004 at 6:00 p.m.

50. First and Only Public Hearing to Amend Chapter 2, Section 2.166 "Plans adopted" Regarding Deferred Comp Plans

Pursuant to legal advertisement, a public hearing was conducted.

Commissioner Thaele moved, duly seconded by Commissioner Winchester and carried unanimously, 6/0 (Commissioner Grippa out of Chambers), to approve Option 1: Conduct the public hearing and adopt the attached Leon County Ordinance No. 04-20 amending Chapter 2, Section 2-166, "Plans adopted", Leon County Code of Laws, regarding Deferred Compensation Programs:

51. First Public Hearing for a Land Development Regulation Requiring Utilization of the Flooded Property Acquisition Program Waiver, as a Condition to Approval of Applications for Development Orders for the Siting and Construction of Single-Family Residential Structures on Properties Subject to Flooding

Pursuant to legal advertisement, a public hearing was conducted.

Commissioner Thael moved, duly seconded by Commissioner Winchester and carried unanimously, 6/0 (Commissioner Grippa was out of Chambers), to approve Option 1: Conduct the first of two public hearings to consider the proposed land development regulation and schedule the second public hearing for October 12, 2004 at 6:00 p.m.

52. First Public Hearing for Journey's End Subdivision 2/3 Paving Project

Pursuant to legal advertisement, a public hearing was conducted.

Commissioner Winchester moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Grippa was out of Chambers), to approve Option 1: Conduct the first public hearing and adopt the attached Resolution No. R04-39 authorizing special improvements and authorize the Chairman to execute:

53. First and Only Public Hearing for the Pre-application for Authorization of Water Services Area for Properties Located South of Ox Bottom Road, Between Chimney Swift Hollow and Spencer Roads

Pursuant to legal advertisement, a public hearing was scheduled to be heard.

Commissioner Winchester moved and was duly seconded by Commissioner Maloy to approve Option 1: Conduct the first and only public hearing and authorize a service area for properties located south of Ox Bottom Road between Chimney Swift Hollow and Spencer Road.

Tony Park, Director of Public Works, requested that the item be continued to October 12, 2004 since some issues have arisen

Commissioner Winchester withdrew his motion and then moved, duly seconded by Commissioner Maloy and carried unanimously, 6/0 (Commissioner Grippa was out of Chambers), to continue the public hearing to October 12, 2004 at 6:00 p.m.

54. First and Only Public Hearing on Pre-Application for Authorization of Water Service Area for Properties Located Within Deertree Hills Development

Pursuant to legal advertisement, a public hearing was conducted.

Commissioner Winchester moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Grippa was out of Chambers), to approve Option 1: Conduct the first and only public hearing and authorize a service area for properties within Deertree Hills Development.

Citizens to Be Heard on Non- Agendaed Items (3-minute limit; non-discussion by Commissioners)

- a. Diane Green, 3250 W. Tennessee Street, #222, appeared and explained that she is a resident of Astor Lake Estate and recently the Estate was bought out by a company and residents were forced to move out. She explained that she has to relocate and her bills have become delinquent and the permit in the amount of \$664 was the only thing holding up the move. Ms. Green requested that the Board assist if possible.

Commissioner Proctor moved, duly seconded by Commissioner Thael and carried unanimously, 7/0, to waive the Rules of Procedure so the Board can take up the item.

Commissioner Thael moved, duly seconded by Commissioner Winchester and carried unanimously, 6/0 (Commissioner Maloy out of Chambers), to waive the \$664 permit fee.

The Board then entered discussion of Item 42, General Business.

- b. Dorothy Spence, 3982 Chaires Cross Road, appeared and informed the Board that the GIS flood map was inaccurate because it showed that she had a pond on her property when in fact, she does not. Staff responded that Lee Hartsfield handles GIS and would investigate the issue.

Ms. Spence also talked about using the Chaires Community Center as a shelter and asked how to go about making the request. The Board advised that shelters have to meet certain criteria and the Red Cross has the list of shelters.

- d. Deborah York, 4850 Old Indian Trail, appeared and described a situation involving her neighbor, Tom Shaw, as it relates to obtaining various permits, i.e., water/sewer, electrical, etc. Ms. York pointed out that her neighbor is now installing a septic tank without an appropriate permit and

that the same rules should apply to all citizens and urged the Board to address the matter. She also alleged that GEM's files have not been properly maintained.

John Kraynak, GEM, explained the situation, that it involved a violation case where Mr. Shaw moved the mobile home and built a shed illegally. Since then, he has complied and received a permit for the mobile home and the septic tank.

Commissioner Grippa directed County Administration to meet with staff regarding the appropriate permits required and to provide Ms. York with permit information.

Add-On:

55. Request to Initiate Coordination with Leon County Veteran's Affairs and City of Tallahassee to Continue Planning and Execution of Veteran's Day Parade

Commissioner Grippa moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Winchester out of Chambers), to approve Option 1: Approve the coordination between the Leon County Veteran's Affairs Department and the City of Tallahassee to continue planning and execution of the annual Veteran's Day Parade.

Commissioner Thael

- a. Informed the Board that Leadership Tallahassee has nominated the County Administrator, Parwez Alam, for the Distinguished Leadership Award. The award ceremony will take place on Thursday, September 30, 2004 at the University Center and he requested the County purchase a table.
- b. Requested that staff contact Dave and Mary Alma Lang regarding a traffic/accident intersection study at Roberts and Centerville Roads.
- c. Requested the Board agenda the issue of abandonment process at it relates to Cayo de Santos off St. Augustine Road. Public Works Director, Tony Park, will provide the information.

Commissioner Grippa

- a. Commissioner Grippa moved, duly seconded by Commissioner Maloy and carried unanimously, 6/0 (Commissioner Winchester out of Chambers), to agenda a comparison costs between renovating or new construction of the Miccosukee Community Center.

- b. Commissioner Grippa moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Winchester out of Chambers), to agenda the issue of Foxcroft Pond ownership.
- c. Commissioner Grippa moved, duly seconded by Commissioner Proctor and carried unanimously, 6/0 (Commissioner Winchester out of Chambers), to agenda the issue of bonding the Flooded Property Acquisition monies.
- d. Requested the County Attorney research the definition of "granny flat" exemption and if having cooking ability makes it ineligible for the tax exemption.
- e. Requested staff research whether the northeast corner of Bull Run PUD is improperly zoned.
- f. Commissioner Grippa moved, duly seconded by Commissioner Thael and carried unanimously, 6/0 (Commissioner Winchester out of Chambers), to place on the October 12, 2004 Board agenda the reconsideration of the Carvajal Deer Lane Drainage Project.
- g. Requested staff research and bring back to the Board the various issues concerning the bid award to Phoenix Architectural Products, Inc. for the Hurricane Shelter Retrofit Project.

Commissioner Proctor

- a. Requested the County provide more information on Channel 16 regarding evacuation during hurricanes, flooding, etc.
- b. Requested follow up of Board's meeting with the Wakulla County Commissioner.
- c. Requested staff provide information regarding Woodville Park, property appraisal and negotiations with Southwood.
- d. Requested staff approach DOT regarding their abandoned buildings on Springhill Road.
- e. Requested Chairman Sauls co-host a community meeting in Woodville to receive citizen input regarding changes in the Comprehensive Plan. A requested was made for staff to schedule a meeting.
- f. Requested that staff cancel the workshop on the Fairgrounds and reschedule.

- g. Requested a resolution for Harriet Williams, retiring Special Master for 2nd Judicial Circuit.

Commissioner Rackleff

Requested a resolution recognizing the Capital City Christian Cruisers (CCCC) Track Club's achievements at the 2004 AAU Junior Olympic National Track and Field Championships in Des Moines, Iowa.

Commissioner Proctor

Requested a resolution for Ron Galimore honoring his contributions to U.S. Gymnastics.

There being no further business to come before the Board, the meeting adjourned at 10:10 p.m.

APPROVED: _____

Jane Sauls
Chairman

ATTEST:

Bob Inzer
Clerk of the Circuit Court